

**HUMAN SERVICES DEPARTMENT[441]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services amends Chapter 79, "Other Policies Relating to Providers of Medical and Remedial Care," Iowa Administrative Code.

These amendments eliminate reimbursement for the costs of graduate medical education in the calculation of Medicaid reimbursement for acute hospital inpatient and outpatient services provided by hospitals outside of Iowa. 2011 Iowa Acts, House File 649, allows the Department to implement the Medicaid cost containment strategies recommended by Governor Branstad. This change is one of the recommended strategies.

These amendments were Adopted and Filed Emergency and were published in the Iowa Administrative Bulletin on September 7, 2011, as **ARC 9712B**. Notice of Intended Action to solicit comment on the amendments was published as **ARC 9713B** on the same date. The Department received no comments on the Notice of Intended Action. The Department made only a technical change to number the eight unnumbered paragraphs in subparagraph 79.1(5)"y"(7). The items have been changed to rescind the amendments that were previously Adopted and Filed Emergency and to adopt new language in lieu thereof. However, except for the aforementioned technical change, the new language is identical to that Adopted and Filed Emergency.

The Council on Human Services adopted these amendments on November 9, 2011.

These amendments do not provide for waivers in specified situations because the savings assumed in the Department's appropriations will not be achieved if waivers are provided. Requests for the waiver of any rule may be submitted under the Department's general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 249A.4 and 2011 Iowa Acts, House File 649, section 10, subsection 20(a).

These amendments will become effective January 4, 2012, at which time the Adopted and Filed Emergency amendments are hereby rescinded.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [79.1(5), 79.1(16)] is being omitted. With the exception of the change noted above, these amendments are identical to those published under Notice as **ARC 9713B** and Adopted and Filed Emergency as **ARC 9712B**, IAB 9/7/11.

[Filed 11/9/11, effective 1/4/12]

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